

Remarks/Arguments:

Claim Objections

Claims 8, 10 and 14 were objected to as containing several informalities. Applicants respectfully submit that the objections with respect to lines 4 and 12 of claim 8 have been amended as suggested by the Examiner. As for the objection to "the reaction force" on line 11 of claim 8, applicants respectfully submit that such term is appropriate as proper antecedent basis is provided on line 7 of claim 8. Applicants respectfully submit that the claims as amended address the examiner's concern with respect to claims 10 and 14.

Claim Rejections Under 35 U.S.C. §112, second paragraph

Claims 8-14 stands rejected under 35 U.S.C. §112, second paragraph, as indefinite. Applicants respectfully submit that the claims as amended address the examiner's concerns and that this rejection is now moot.

Claim Rejections Under 35 U.S.C. §102

Claims 8-14 stand rejected under 35 U.S.C. §102 as anticipated by PCT Publication No. WO 01/73312 (Jungbecker et al.) (with U.S. Patent No. 6,767,305 provided as an English language equivalent). Applicants traverse these rejections.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." M.P.E.P. §2131 *citing Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Independent claim 8 recites an "actuating unit for an electromechanically actuated disc brake for automotive vehicles, which is disposed on a brake caliper wherein two friction linings respectively cooperating with a side face of a brake disc are arranged in a manner displaceable to a limited extent, with a first of said friction linings being arranged so as to be directly movable into engagement with the brake disc by means of an actuating element, through the actuating unit, while the other friction lining is movable into engagement with the brake disc through the action of a reaction force applied by the brake caliper, wherein the actuating unit comprises an electric motor and at least one reduction gear operatively arranged between the electric motor and the first friction lining, and with the reduction gear being formed of a threaded drive accommodated in a gear housing and including a cylindrical guide piece that is provided with a sensor device for sensing the reaction force, wherein the guide piece has a

reduced thickness of material or an aperture in an area of attachment of the sensor device, and a prefabricated sensor module forming the sensor device, the sensor module including a carrier element on which a measuring element and contacting means are arranged, the carrier element arranged outside the guide piece in the area of attachment or within or above the aperture."

Jungbecker et al. fails to teach or suggest a sensor module including a carrier element on which a measuring element and contacting means are arranged, the carrier element arranged outside the guide piece in the area of attachment or within or above the aperture. To the contrary, Jungbecker et al. explains at column 4, lines 35-37 of the '305 patent that "measuring elements 43, e.g. wire strain gauges, are arranged on the surface of the guide member 29. . . ." Jungbecker et al. does not teach or suggest a carrier element which the measuring elements are arranged. The office action cites to element 13 of Jungbecker et al. as a carrier element. While element 13 may be referred to a carrier in the Jungbecker et al. specification, it does have the measuring element and contacting means arranged thereon. Instead, Jungbecker et al. explains at column 3, lines 1-5 of the '305 patent that the annular carrier 13 is part of motor "whose rotor is provided by an annular carrier 13 that carries a plurality of permanent magnet segments 14."

Since each and every element as set forth in the claim is not found, either expressly or inherently described, in Jungbecker et al., the reference fails to anticipate the claimed invention.

It is respectfully submitted that independent claim 8 is condition for allowance. Claims 10-15 each depend from claim 8 and should each be allowed for at least the reasons set forth above.

It is respectfully submitted that each of the pending claims is in condition for allowance. Early reconsideration and allowance of each of the pending claims are respectfully requested.

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Reply to Office Action of February 9, 2007

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If the Examiner believes an interview, either personal or telephonic, will advance the prosecution of this matter, it is respectfully requested that the Examiner get in contact with the undersigned to arrange the same.

Respectfully submitted,



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MAY 9, 2007
